

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

VECENTIE SONTIAGO MORALES, JR.,	)	
	)	
Petitioner	)	
	)	
vs.	)	No. CIV-08-459-C
	)	
JUSTIN JONES, Director,	)	
	)	
Respondent	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Valerie K. Couch, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Couch entered a Report and Recommendation on July 29, 2008, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

Petitioner's objection merely restates his argument on the substantive merits of his claim; it does not address the procedural issues on which the Report and Recommendation is based. There being no error of fact or law in the Report and Recommendation disputed by Petitioner or incorrect as a matter of law, it will be adopted.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, grants Respondent's Motion to Dismiss. As no amendment can cure the defect, this dismissal acts as an adjudication on the merits, and a judgment will enter.

IT IS SO ORDERED this 17th day of October, 2008.



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ROBIN J. CAUTHRON  
United States District Judge